

AMENDED IN SENATE MARCH 16, 2006

Senate Concurrent Resolution

No. 103

Introduced by Senators Scott, Cox, Ortiz, and Torlakson

March 9, 2006

Senate Concurrent Resolution No. 103—Relative to Lyme Disease Awareness Month.

LEGISLATIVE COUNSEL'S DIGEST

SCR 103, as amended, Scott. Lyme Disease Awareness Month.

This measure would proclaim the month of May 2006 as Lyme Disease Awareness Month.

Fiscal committee: no.

1 WHEREAS, Lyme disease is caused by the spirochete (a
2 corkscrew-shaped bacteria) called *Borrelia burgdorferi* and is
3 transmitted by the western black-legged tick. Lyme disease was
4 first identified in North America in the 1970s in Lyme,
5 Connecticut, the town for which it was then named. This disease
6 has since been reported in many areas of the country, including
7 ~~54 counties in California~~, *as of 2002, 53 counties in California.*
8 *Today, it has reached all 58 counties.* Its spread is essentially
9 global, having been reported in 30 countries on 6 continents and
10 several islands. Lyme disease, therefore, is not “rare” and 25
11 percent of its victims are under 15 years of age; and

12 WHEREAS, Lyme disease mimics many other diseases and is
13 called the second “great imitator” after syphilis. Patients are
14 often misdiagnosed with more familiar conditions, including
15 chronic fatigue, fibromyalgia, multiple sclerosis, amyotrophic
16 lateral sclerosis (Lou Gehrig’s disease), or Parkinson’s disease,
17 for which there is no cure, only palliative remedies.

1 Manifestations of cognitive and memory impairment from
2 neurological Lyme disease are commonly misdiagnosed as
3 depression or other mental conditions; and

4 WHEREAS, Prompt treatment with antibiotics at the onset of
5 Lyme disease can cure the infection and prevent complications of
6 “persistent Lyme disease.” However, if treatment is delayed, the
7 disease will cause progressive debilitation and recovery will take
8 much longer; and

9 WHEREAS, In California, the western black-legged tick
10 (*Ixodes pacificus*) transmits the bacteria that cause Lyme disease
11 during its bite and blood draw. These ticks are most common in
12 the coastal regions and along the western slope of the Sierra
13 Nevada range. Ticks prefer cool moist environments, such as
14 shaded grasses, shrubs, and leaf litter under trees in oak
15 woodlands; and

16 WHEREAS, Ticks have three life stages. The larvae and
17 nymphs are found in low, moist vegetation such as in leaf litter
18 and oak tree trunks. Adults are found on the tips of grasses and
19 shrubs, often along trails and usually carried by deer. Infected
20 nymphs and adult females of the western black-legged tick can
21 transmit Lyme disease bacterium to humans. Because nymphs
22 are tiny and difficult to see, they may not be removed promptly.
23 Nymphs are most active in spring and early summer, when
24 people are most likely to be outdoors. Indeed, the peak time for
25 contracting the disease is between April and June, hence the
26 designation of May as Lyme Disease Awareness Month; and

27 WHEREAS, There are fewer than 30 “Lyme-literate”
28 physicians in clinical practice in California, resulting in frequent
29 misdiagnosis and undertreatment of patients. This
30 marginalization has led to broken families, financial hardship,
31 job loss, increased numbers of people on disability or welfare,
32 and even death. Lyme disease is a hidden public health epidemic
33 that must be addressed promptly; and

34 WHEREAS, The federal Centers for Disease Control and
35 Prevention (CDC) made Lyme disease a nationally notifiable
36 condition in 1982. Over 125,000 cases have since been reported
37 nationwide, making Lyme disease the most frequently reported
38 vector-borne disease. In 2002, the number of cases reported
39 increased by 40 percent over the prior year to 23,763 cases. The
40 CDC estimates that only 10 percent of the Lyme disease cases

1 are actually reported and the current CDC outdated surveillance
2 criteria lead to gross underreporting; and

3 WHEREAS, In 1999, Senate Bill 1115 established the Lyme
4 Disease Advisory Committee (LDAC) to provide information
5 and service to the Lyme patient community and to focus
6 expertise and potential leadership on this public health epidemic;
7 and

8 WHEREAS, In 2002, Assembly Bill 2125 established that
9 Lyme disease could be a compensable employment injury
10 through the workers' compensation system for certain law
11 enforcement personnel, thus recognizing that Lyme disease could
12 be an occupational hazard and job injury; and

13 WHEREAS, In 2004, the International Lyme and Associated
14 Diseases Society developed "Evidence-based Guidelines for the
15 Management of Lyme Disease," published in Expert Review and
16 Anti-infective Ther.:2(1), 2004. It is now clear that long-term
17 antibiotic treatment of persistent Lyme disease can be effective;
18 and

19 WHEREAS, In 2004, Assembly Bill 1091 revised the method
20 by which the state may modify the list of reportable diseases
21 making Lyme disease laboratory-reportable in addition to
22 doctor-reportable; and

23 WHEREAS, Most recently, in 2005 Assembly Bill 592 had a
24 two-fold purpose: to ensure that physicians who diagnose Lyme
25 disease based on personal examination and develop a treatment
26 plan based on informed consent with the patient can not be
27 charged with incompetence for this professional practice, and
28 specifically recognizing the treatment of "persistent Lyme
29 disease" opening a window for both physicians and patients to
30 see that this complex disease can indeed be treated; and

31 WHEREAS, The Legislature finds that this disease is a
32 developing epidemic that presents a major health threat to all
33 Californians; now, therefore, be it

34 *Resolved by the Senate of the State of California, the Assembly*
35 *thereof concurring*, That the Legislature of the State of California
36 hereby proclaims the month of May 2006 as Lyme Disease
37 Awareness Month; and be it further

- 1 *Resolved*, That the Secretary of the Senate transmit copies of
- 2 this resolution to the author for appropriate distribution.

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